

General and special public use of roads

Abstract

Subject matter of this thesis is general and special public use, whose object are roads. Institutes relating to public use of roads, such as charging for general use, restriction of general use and possible means of use, are analysed in this thesis. Focus is also put on the newest changes in this field and recent case law. The text also includes author's considerations *de lege ferenda*.

The text itself, excluding introduction and conclusion, is divided into three chapters. In the first chapter institute of public use is analysed, especially its object and subject. Public use is also split into general and special. The second chapter offers general interpretation relative to roads, which are the object of public use. This interpretation deals with categorisation and defining aspects of each category of roads. Increased attention is paid to local roads in relation to their previous legislation, and also to private roads in public use due to the circumstances of their origin. The main part is included in the third chapter, which deals directly with general and special use of roads, as is legislated in Law no. 13/1997 Coll., on Land Communications (Road Act) and other legal regulations regulating limits of such use. This chapter is divided to subchapters on general use of roads, special use of roads, as well as passability of roads. The subchapter dealing with general use is focused on activities expressly forbidden, which cannot be considered as general use of roads, including setting aside vehicles on roads, charging for and limiting the use of roads. The subchapter on special use of roads analyses mainly the authorisation of special use and the procedure of its issue, as well as individual means of use, which are considered as special use of roads. In the chapter dedicated to passability of roads, the reader will be familiarised with answers to questions on liability for damage originating from the use of roads, as well as ensuring the passability of roads.

Keywords: general public use, special public use, roads, road-toll, restriction of general use, passability of roads